

LIVABLE DELAWARE ADVISORY COUNCIL MEETING

MINUTES – MEETING OF JUNE 10, 2002

The livable Delaware Advisory Council held a meeting on Monday, June 10, 2002 at 1:00 P.M. in the Paradee Building in Dover, Delaware.

Council Members Present

Lt. Governor John Carney, Chair
Peg Baunchalk
Secretary Nicholas DiPasquale
Randy Marvel
Robert McLeod
Mike McDowell
Paul Morrill
Representative Roger Roy
Richard Pryor
Michael Scuse
Robert Stickels
Director John Wik

Also Present:

Karley Barnes
David Edgell
Constance C. Holland
Karen Horton
Herb Inden
Emily Knearl
Andrea Kreiner
Dianna Mescher
William Narcowich
Ed O'Donnell
Anne Marie Townshend

Absent:

Richard Anthony
Senator Patricia Blevins
Joseph Corrado
Sherry Freebery
Secretary Nathan Hayward
Marty Ross
Lee Ann Walling
Rick Woodin

The Council met to discuss items set forth in the agenda.

Updates

Legislation –

Ms. Kreiner stated that the following three land use bills have been introduced:

- Safe Routes to Schools (SB353) currently in House Transportation Committee
- Bill to add City of Wilmington to Advisory Council (SB309) passed the senate and is currently in the House Land Use and Infrastructure Committee
- TDR Bill (HB540) passed the senate and is in the House Land Use and Infrastructure Committee

Subcommittees –

Ms. Holland stated that the **Community Design Subcommittee** met several times and has now broken off into four working groups (Core Values, Land Use, Infrastructure, and Open Space). The working groups will meet until August and then the Committee will get back together. Ms. Holland expects to have a product ready by September.

Mr. Inden stated that the **Annexation Subcommittee** is focusing on the inequities in annexations. He stated that at the last meeting there were four possible piece of legislation proposed. They consisted of legislation to:

- 1) Do away with the local service function budget
- 2) Treat Wilmington the same as the other municipalities
- 3) A moratorium on annexations
- 4) All annexation would have to be state certified

Mr. Inden further stated that the committee voted to send a letter of recommendation to this committee to ask that legislation be written which would put a moratorium on all annexations in New Castle County for one year until further recommendations could be made to address the annexation issues.

Mr. Carney stated that no letter had been received.

Mr. Carney stated that he and Ms. Walling met with New Castle County and that there are discussions on going between the Governors Office and New Castle County and that they are committed to find a balance.

Mr. Roy asked what the problem was with treating all three counties the same. Mr. Carney stated that currently the City of Wilmington has to get approval from New Castle County to annex property. He stated that the local service function budget was one problem in New Castle County so what is fair; treat all municipalities like Wilmington or give the City of Wilmington unbridled power to annex.

Mr. Stickles stated that while Sussex County does not have a local service function budget they lose realty transfer taxes when municipalities annex.

Mr. Morrill asked what municipalities were represented on the Annexation Committee. Mr. Inden stated that Mr. Ken Branner and Mr. George Wright were members.

Mr. Morrill noted that if the local service function budget were done away with there would be an outcry from residents about county police, libraries and other services.

Mr. Pryor asked about the proposed moratorium. Mr. Inden stated that annexations less than ten acres and for health and safety issues would not be included.

Mr. Stickles asked if the county executive and the county council agreed with the bill.

Mr. Carney stated that he thought they agreed conceptually but that they all have a different perspective and they are focused on preventing the loss of revenue.

Ms. Holland stated that while some people have linked the two, TDR and annexation are separate issues and should be treated as such.

Mr. Carney stated that New Castle County is focused on the tax base from Middletown. He further noted that the Strategies for State Policies and Spending clearly state that growth will be supported in and around established communities.

Mr. DiPasquale stated that the **Green Infrastructure Subcommittee** has met three times and that they were discussing a conservation corridor that would be part of the Bay-to-Bay Stewardship initiative. He stated that the next meeting was in July.

Mr. Wik stated that the **Infill and Redevelopment Subcommittee** has been discussing initiatives and has been refocusing on state issues.

Ms. Horton stated that the **Affordable Housing Subcommittee** has been meeting regularly and looking at what the counties are doing for affordable housing and incentives that could be offered for affordable housing. She stated that the next meeting is set for June 21, 2002 at 2:30 p.m.

Mr. O'Donnell spoke to the committee about the **Livability Indicators Subcommittee**. He stated that they have met five times and have discussed their goals and objectives, their strategies, and they have developed a first draft of indicators.

Mr. O'Donnell showed some examples of the resource materials they have used since they began working on the indicators. He stated that they have reviewed resources from Maryland, Massachusetts, Maine, New Jersey and other states. To date, the following have been determined as possible indicators:

- Location of new development
- Availability of public water and wastewater facilities
- Highway congestion
- Public transportation usage
- Walkability and bikeability of neighborhoods.
- Conserved land
- Groundwater quality
- Biodiversity
- Farmland viability
- County and municipal land use planning

Currently the subcommittee has broken out into working groups to develop measures for each indicator. The committee will meet again next week.

It was discussed that many environmental indicators have been mentioned but may be hard to measure and manage. Mr. O'Donnell noted that a fuller report would be completed in a few months.

Other Business

Ms. Holland noted that she, Ms. Walling and Ms. Kreiner had been in discussions about a possible forum in the fall to get the public involved in the process.

Mr. Narcowich asked about the proposed Smyrna annexation plan. He state that their plan was not in compliance with the New Castle County plan which has recently been certified by the State. Mr. Narcowich stated that it would be like throwing out New Castle County's plan to let this happen.

Ms. Holland stated the proposed annexation plan had been through the LUPA process and that Smyrna was currently in the process of completing is comprehensive plan.

Mr. Carney stated that it seems the new process set forth in HB255 is working. Smyrna will complete its comprehensive plan and the state will review it and if the issues cannot be worked out it will be turned over to conflict resolution committee.

With no further business, a motion was made by Ms. Baunchalk; seconded by Mr. Scuse and unanimously approved to adjourn the meeting.

Respectfully submitted,

Dorothy Morris